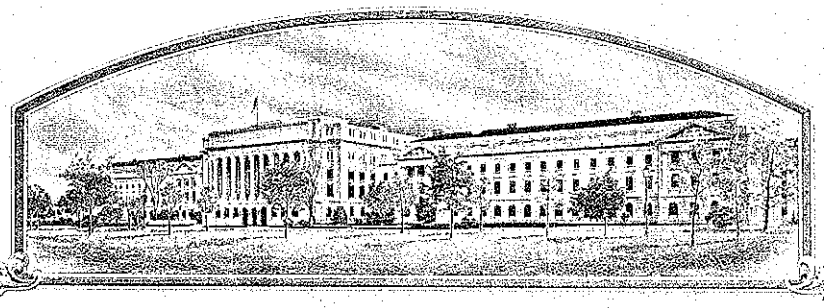

No. 8000166

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Asgrow Seed Company

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *eighteen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

WATERMELON

'Domek'

In Testimony Whereof, *I have hereunto set my hand and caused the seal of the* Plant Variety Protection Office *to be affixed at the City of* Washington *this* 26th *day of* February *in the year of our Lord one thousand nine hundred and* eighty-one.

Attest:

Commissioner
Plant Variety Protection Office
Grain Division

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, POULTRY, GRAIN & SEED DIVISION

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: *See Reverse.*

FORM APPROVED
OMB NO. 40-R3822

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

1a. TEMPORARY DESIGNATION OF VARIETY	1b. VARIETY NAME	FOR OFFICIAL USE ONLY
XP772	Domek CMB 1/28/81	PV NUMBER 8000166
2. KIND NAME: Watermelon	3. GENUS AND SPECIES NAME: Citrullus Vulgaris	FILING DATE 9/30/80 / TIME 12:00 A.M. (P.M.)
4. FAMILY NAME (BOTANICAL): Cucurbitaceae	5. DATE OF DETERMINATION: August, 1975	FEE RECEIVED $ 500.00 / $ 250.00 / DATE 9/30/80 / 1/26/81
6. NAME OF APPLICANT(S): Asgrow Seed Company	7. ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)*: Kalamazoo, MI 49001 9620 190 1	8. TELEPHONE AREA CODE AND NUMBER: 616-385-6605

9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: *(Corporation, partnership, association, etc.)*	10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION	11. DATE OF INCORPORATION
Corporation	Delaware	March 22, 1968

12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS:
John A. Batcha
Asgrow Seed Company 9620 190 1
Kalamazoo, MI 49001

13. **CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:**

- [X] 13A. Exhibit A, Origin and Breeding History of the Variety *(See Section 52 of the Plant Variety Protection Act.)*
- [X] 13B. Exhibit B, Novelty Statement.
- [X] 13C. Exhibit C, Objective Description of the Variety *(Request form from Plant Variety Protection Office.)*
- [ ] 13D. Exhibit D, Additional Description of the Variety.

14a. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? *(See Section 83(a). (If "Yes," answer 14B and 14C below.)* [ ] YES [X] NO

14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? [ ] YES [ ] NO

14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED? [ ] FOUNDATION [ ] REGISTERED [ ] CERTIFIED

15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? [ ] YES [X] NO *(If "Yes," give name of countries and dates.)*

15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? [ ] YES [ ] NO *(If "Yes," give name of countries and dates.)*

16. DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL JOURNAL? [X] YES [ ] NO

17. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

July 23, 1980 (DATE)

John A. Batcha (SIGNATURE OF APPLICANT)

(DATE)

(SIGNATURE OF APPLICANT)

SEP 30 1980

INSTRUCTIONS

GENERAL: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and $500 fee ($250 filing fee and $250 examination fee) to U.S. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

5 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.

13a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.

13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.

13c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.

13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.

14a If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "NO," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)

15a See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.

Asgrow Seed Company
Plant Variety Protection Application
<XP772>Watermelon - Domek
July 23, 1980

8000166

EXHIBIT A

ORIGIN AND BREEDING HISTORY OF THE VARIETY ~~XP772~~ Domek

Domek
~~XP772~~ originated as a broad (solid) leaf mutant discovered in 1973 in a field of the watermelon variety Chilean Black. The mutant plant was selfed in 1973 and the progeny grown and evaluated for uniformity in 1974 and 1975. Observations made both in 1974 and 1975 indicated that the broad leaf trait is stable, as no segregation for either fruit or leaf type was observed. Breeders seed of ~~XP772~~ Domek was produced in 1976 and used for building up seed stock of the variety in 1977.

Domek
Observations indicate ~~XP772~~ is uniform and stable.

8000166

EXHIBIT B

Novelty Statement

To our knowledge the variety most similar to ~~XP772~~ Domek is Chilean Black. The characteristic which makes ~~XP772~~ Domek a distinctive variety includes but is not necessarily restricted to leaf shape. ~~XP772~~ Domek leaves are distinctively broad being filled to the margins whereas Chilean Black leaves have lobe shaped patterns and are not filled to the margins which is typical of most watermelon varieties.

FCRM,GR-470-19
(1-15-73)

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
GRAIN DIVISION
HYATTSVILLE, MARYLAND 20782

EXHIBIT C
(Watermelon)

OBJECTIVE DESCRIPTION OF VARIETY
WATERMELON *(CITRULLUS LANATUS)*

INSTRUCTIONS: *See Reverse.*

NAME OF APPLICANT(S)

Asgrow Seed Company

ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)*

Kalamazoo, Mi. 49001

FOR OFFICIAL USE ONLY

PVPO NUMBER 8000166

VARIETY NAME OR TEMPORARY DESIGNATION <XP772> Domek

Place the appropriate number that describes the varietal character of this variety in the boxes below.
Place a zero in first box (e.g. [0][8][9] or [0][9]) when number is either 99 or less or 9 or less.

1. TYPE:

[3] 1 = OBLONG 2 = ROUND LARGE 3 = ROUND SMALL *(icebox)*

2. AREA OF BEST ADAPTATION:

[4] 1 = SOUTH 2 = NORTHEAST/NORTHCENTRAL 3 = SOUTHWEST 4 = MOST AREAS

3. EMERGENCE TO ANTHESIS:

[0][3] NO. OF DAYS *EARLIER* THAN ..... [1]
[0][6] NO. OF DAYS *LATER* THAN ..... [2]
1 = CHARLESTON GREY
2 = OTHER *(Specify)* Sugar Baby

4. POLLINATION TO MATURITY:

[0][5] NO. OF DAYS *EARLIER* THAN ..... [1]
[0][5] NO. OF DAYS *LATER* THAN ..... [2]
1 = CHARLESTON GREY
2 = OTHER *(Specify)* Sugar Baby

5. PLOIDY:

[1] 1 = DIPLOID 2 = TETRAPLOID 3 = TRIPLOID

6. PLANT

[1] Cotyledon: 1 = FLAT 2 = FOLDED

[2] 1 = MONOECIOUS 2 = ANDROMONOECIOUS

Number of flowers per plant at first fruit set:

[6][3] STAMINATE [0][0] PISTILLATE [0][7] PERFECT

[6] NO. OF MAIN STEMS AT CROWN

7. STEM:

[2] 1 = ROUND 2 = ANGULAR

[1][4] MM. DIAMETER AT SECOND NODE

[3] 1 = GLABROUS 2 = SCABROUS 3 = PUBESCENT 4 = BRISTLED

[0][7] CM. VINE LENGTH ÷ NO. OF INTERNODES *(At last harvest)*

8. LEAF:

[1] 1 = OVATE 2 = OBOVATE 3 = ROUND

[2] 1 = LONGER THAN WIDE 2 = LENGTH-WIDTH EQUAL 3 = WIDER THAN LONG

[2] Dorsal Surface:
[2] Ventral Surface:
1 = SMOOTH 2 = PUBESCENT

[3] Color: 1 = LIGHT GREEN 2 = GRAY GREEN 3 = MEDIUM GREEN 4 = DARK GREEN

9. FLOWER *(At first fruit set):*

[0][2] Staminate: CM. ACROSS

[2][1/4] Perfect: CM. ACROSS

[1] Color: 1 = LEMON YELLOW 2 = YELLOW 3 = ORANGE

FORM GR-470-19 (REVERSE)

10. MATURE FRUIT:

[1] 1 = ROUND 2 = OVAL 3 = CYLINDRICAL [23] CM. LONG [22] CM. DIAMETER AT MIDSECTION

[05] KG. AVERAGE WEIGHT [11] INDEX = LENGTH ÷ DIAMETER X 10

[1] 1 = SMOOTH 2 = SLIGHTLY GROOVED 3 = DEEPLY GROOVED

[3] Color: 1 = SOLID *(One color)* 2 = STRIPE 3 = MOTTLE/NET

[3] Primary Color: [5] Secondary Color: 1 = YELLOW GREEN *(Desert King)* 2 = LIGHT GREEN *(Charleston Grey)* 3 = MEDIUM GREEN *(Sugar Baby)* 4 = DARK GREEN *(Florida Giant)* 5 = OTHER *(Specify)* Yellow green/dark green stripes

11. RIND:

[3] 1 = TENDER 2 = BRITTLE 3 = TOUGH [10] THICKNESS MM. BLOSSOM END

[12] THICKNESS MM. SIDES

12. FLESH:

[1] 1 = CRISP 2 = SOFT [2] 1 = COARSE-FIBROUS 2 = FINE-LITTLE FIBER

[4] Color: 1 = YELLOW 2 = ORANGE 3 = PINK 4 = RED 5 = DARK RED

[13] REFRACTOMETER % SOLUBLE SOLIDS OF JUICE *(Center of fruit)* [12] % CHECK VARIETY *(Specify)* Chilean Black

[000] % HOLLOW HEART [000] % PLACENTAL SEPARATION [000] % TRANSVERSE CRACK

13. SEED:

[11] MM. LONG [7] MM. WIDE [2] MM. THICK

[16] INDEX ÷ LENGTH ÷ WIDTH X 10 [99] GM. PER 1000 SEED [677] NO. SEED PER FRUIT

[10] Color: 1 = WHITE 2 = WHITE-TAN TIPPED 3 = WHITE-PINK TIPPED 4 = TAN 5 = GREEN 6 = RED 7 = DARK BROWN 8 = DARK BROWN MOTTLED 9 = BLACK 10 = MOTTLED BLACK

14. DISEASE RESISTANCE: (0 = Untested, 1 = Susceptible, 2 = Resistant)

[0] ANTHRACNOSE *(Race_____)* [0] DOWNY MILDEW [0] FUSARIUM WILT [0] GUMMY STEM BLIGHT

[0] SQUASH MOSAIC [0] WATERMELON MOSAIC [0] POWDERY MILDEW [0] CUCUMBER MOSAIC

[0] OTHER *(Specify)* _____

15. OTHER RESISTANCE: (0 = Untested, 1 = Susceptible, 2 = Resistant)

[2] SUNBURN [0] ROOT KNOT [0] OTHER *(Specify)* _____

16. NAME A VARIETY THAT MOST CLOSELY RESEMBLES THAT SUBMITTED:

Days maturity	Chilean Black	Fruit shape	Chilean Black
Plant vigor	" "	Rind color	" "
Fruit Size	" "	Flesh quality	" "

REFERENCES:

1. Frey, K. J. 1966. Plant Breeding - Symposium. 1 ed. Iowa State University Press.
2. Ware, G. W. and McCollum, J. P. 1968. Producing Vegetable Crops. Interstate Printers & Publishers, Inc. Danville, Illinois.
3. Whitaker, T. W. and Davis, G. N. 1962. Cucurbits. Interscience Publishers, Inc. New York.
4. Nickerson's or any recognized color fan should be used to determine the plant colors of the described variety.